

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

ROSY GIRON DE REYES, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 1:16-cv-563 (TSE/TCB)
	)	
WAPLES MOBILE HOME PARK LIMITED PARTNERSHIP, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

**ORDER**

This matter comes before the Court on Defendants Waples Mobile Home Park Limited Partnership, Waples Project Limited Partnership, and A.J. Dwoskin & Associates, Inc.’s (“Defendants”) Motion to Seal and supporting memorandum. (Dkts. 346, 347.) Defendants seek to file under seal Exhibits 1, 2, 3, 4, 5, 6, and 7 to their Memorandum in Support of their Motion *in Limine* to Exclude Evidence of the Ethnicity of Individuals at the Park Allegedly Affected by the Policy (Dkt. 323) and portions of Exhibits 2, 3, 4, and 5 to Defendants’ Memorandum in Support of their Motion *in Limine* to Exclude Evidence of Lease Materials and Purported “Eviction” Correspondence (Dkt. 329). Plaintiffs Rosy Giron de Reyes, Jose Dagoberto Reyes, Felix Alexis Bolanos, Ruth Rivas, Yovana Jaldin Solis, Esteban Ruben Moya Yrapura, Rosa Elena Amaya, and Herbert David Saravia Cruz (“Plaintiffs”) replied in support of Defendants’ motion pursuant to Local Civil Rule 5(C). (Dkt. 352.)

District courts have authority to seal court documents “if the public’s right of access is outweighed by competing interests.” *Ashcraft v. Conoco, Inc.*, 218 F.3d 288, 302 (4th Cir. 2000). Procedurally, a district court may seal court filings if it (1) “provide[s] public notice of the

request to seal and allow[s] interested parties a reasonable opportunity to object, (2) consider[s] less drastic alternatives to sealing the documents, and (3) provide[s] specific reasons and factual findings supporting its decision to seal the documents and for rejecting the alternatives.” *Id.*

Upon consideration of Defendants’ filings the Court makes the following findings.

First, Defendants have provided public notice of their request to seal and interested parties have been given a reasonable opportunity to object. Defendants filed their motion to seal and public notice on January 11, 2021. (*See* Dkts. 346, 348.) Because over seven days have elapsed since Defendants filed the motion to seal and public notice, and no interested party has objected, the Court may treat this motion as uncontested under Local Civil Rule 5(C). *See* L. Civ. R. 5(C). Accordingly, Defendants have satisfied this requirement under *Ashcraft* and the Local Civil Rules.

Second, this Court has considered less drastic alternatives. Defendants redacted portions of the exhibits attached to their Memorandum in Support of Their Motion *in Limine* to Exclude Evidence of Lease Materials and Purported “Eviction” Correspondence (Dkt. 329). This selective protection of information constitutes the least drastic measure of sealing confidential material. *See Adams v. Object Innovation, Inc.*, No. 3:11cv272-REP-DWD, 2011 WL 7042224, at \*4 (E.D. Va. Dec. 5, 2011) “[The] proposal to redact only the proprietary and confidential information, rather than seal the entirety of [the document], constitutes the least drastic method of shielding the information at issue.”), *report and recommendation adopted*, 2012 WL 135428 (E.D. Va. Jan. 17, 2012).

Finally, the Court finds reason to seal the requested exhibits. The exhibits contain personal identifying information of tenants at the Waples Mobile Home Park and other information the parties designated as confidential pursuant to the Stipulated Protective Order

(Dkt. 45). Additionally, the exhibits contain Defendant's confidential information including credit reports, resident ledgers, internal communications, and deposition transcripts.

Accordingly, it is hereby

**ORDERED** that Defendants' motion to seal (Dkt. 346) is **GRANTED**. Docket entry 353 shall remain permanently under seal.

ENTERED this 22nd day of January, 2021.

A handwritten signature in black ink, appearing to be 'TCB' followed by a long horizontal line.

/s/

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THERESA CARROLL BUCHANAN  
UNITED STATES MAGISTRATE JUDGE

Alexandria, Virginia